

2 Forest Policy

2.1 Historical Time-Line of Policy for Forest Management

1891. The J&K State Forest Department was created in 1891. Mr. J.C. McDonnell of the Imperial Forest Service (IFS) was appointed as Head of the Department. He was given a rank equivalent to Conservator of Forests. He helped in the consolidation of forests and concentrated on construction of roads and paths to open the country. Felling of green trees was stopped, and the energy of the department was devoted to working out of already felled trees and logs and sleepers left in the forests by contractors.

1902. Mr. W. Mayes, an IFS officer, prepared the first working plan in J&K State, for Bhadarwah Forest Division, in 1902. Under this plan, a limited number of trees over 7½ feet in girth was prescribed to be felled in each compartment (selection felling). The departmental working of forest was stopped, and the policy of forest working by the purchaser of a tree started, in 1904.

1908, Kishtwar Working Plan. The Kishtwar working plan was developed in 1908. Deodar forests were worked under the Indian Selection System with an exploitable girth of 7½ feet. Other species were not in demand, so no felling prescriptions were made for them. The felling cycle was fixed at 14 years.

Soon preparation of working plans was taken up for other divisions in J&K State and the Indian Selection System was adopted.

The concept of natural regeneration of forest had developed. It was realised that forests cannot regenerate unless they are closed to grazing, so closure rules were framed.

1912. The Kashmir Forest Notice 1912 was issued for Kashmir Province and the Jammu Forest Notice 1912 for Jammu Province on the 28th November, 1912. These legal documents laid the foundation for joint forest management in Jammu and Kashmir.

1914. The initial enthusiasm for the preparation of elementary working plans seemed to wear off. The apparent lack of enthusiasm might have been due to the outbreak of the First World War. The Department was busy with the work of meeting the enormous timber demand for the war. Preparation of working plans picked up momentum immediately after the war was over.

1932. A working plan was prepared by S. Sher Singh for Ramban Division for a period of 10 years (1929-1939). Previously, deodar had been managed under the Indian Selection System. Singh prescribed the Uniform System for deodar with intensive subsidiary silvicultural operations. His prescriptions were not followed, however, because of financial constraints. The result was that the clear felled areas became full of weeds and shrubs and could not be regenerated. Another working plan prepared for iolab forests in Kashmir Valley met with the same fate.

1934. Rules were promulgated for the formation of village forests (5th March 1934). The objective

was to protect and afforest undemarcated forest areas and waste *khalsa* lands (land belonging to the state) not under cultivation, for the benefit of agriculture and agriculturists and to prevent denudation and soil erosion. Under these rules, local committees were to be formed in each forest range to consider the question of protection of such waste, undemarcated forests and *khalsa* lands. Norms were laid for the formation of such committees. Proper procedures were given for selection of areas and for constituting village forests.

1939-1945, The Second World War. The Second World War was a great setback to the progress of scientific management of forests. Working plans that expired could not be revised. The normal work of posting entries in compartment histories and even submission of the control forms fell into disarray. And even worse, in many valuable forests felling was carried out with total disregard for the working plan prescriptions.

1947, Partition of India. In 1947, immediately after the partition of India, Pakistan invaded Kashmir, which affected forest management adversely. All forest activities came to a grinding halt. The working plans, which needed revision, were not revised for five years. With the efforts of the then Chief Conservator of Forests, revision of working plans started and, within 5 years, the plans were updated or revised.

The outstanding features of these plans were the collection of complete data on growth and yield and the preparation of more detailed stock maps. The old concept of even age of the crop underwent a radical change. Where natural regeneration had to be obtained within a given period, retention of the advance growth as a part of the future crop became an established practice.

1950, 'Grow More Food' Campaign. The state government started a 'Grow More Food' campaign, with the underlying idea of attaining self-sufficiency in food. Under this plan, however, forest areas were encroached. Although the campaign was halted immediately, it set a trend that could not be checked effectively.

1952, National Forest Policy of India. The salient feature of this policy was the focus on revenue generation from forests. According to this policy, the government started exploitation of forests without any attention to regeneration. The 'Grow More Food' campaign and the revenue earning policy led to a reduction in forest area and overexploitation of forest resources and contributed much to the degradation of forests.

1978, The Jammu and Kashmir State Forest Corporation Act (9th May, 1978). There was a lot of criticism in the press regarding the overexploitation of forests by forest lessees and damage to the environment, and this attracted the attention of the government. In order to improve forestry activities, the government formulated the Jammu and Kashmir State Forest Corporation Act of 1978 for better management of forests. Under this, all timber harvesting operations in forests were to be carried out by the State Forest Corporation only.

1987, Nationalisation of Forest Working Act of 1987. According to this Act, no private person could fell a tree in a demarcated forest. All Contractors and Forest Lessees had to stop their operations in such forests.

1988, National Forest Policy of 1988. The 1988 National Forest Policy was a modification of the earlier policy of 1952, which had more emphasis on revenue earning. This policy shifted the emphasis from revenue earning to forest conservation and maintenance of environmental stability through preservation of ecological balance.

1990, The Jammu and Kashmir Forest Policy of 1990. This policy also showed a shift in focus from revenue earning to forest conservation. The main objective of the policy is that forests must be managed to ensure environmental stability and maintenance of the ecological balance.

1990, Jammu and Kashmir Forest (Conservation) Act of 1990. By virtue of this Act, no forest land may be diverted for non-forestry use without prior approval of the State Cabinet.

1992, Jammu and Kashmir Order on Joint Forest Management Notification No. SRO 61 of 19-03-1992 (Annex 2). This is discussed in Sections 2.2.2 and 3.

1996. A democratically elected government came into power in J&K after seven years of central rule.

1997. The J&K Forest Act of 1930 was amended, giving more powers to Forest Officers to deal with forest offences more vigorously. A Forest Protection Force was set up to control smuggling of forest produce and to check all kinds of damage to forests. This force is being armed with sophisticated weaponry and communication systems to deal with the menace of smugglers and militants.

2.2 Present Day Forest Policy

2.2.1 National Forest Policy

The Indian National Forest Policy of 1988, the most recent national policy, is a modified version of the earlier forest policy of 1952. This policy emphasises forest conservation rather than revenue generation from forests, with a focus on preservation, maintenance, sustainable utilisation, restoration, and enhancement of the natural environment.

The major points in the 1988 National Forest Policy are as follow.

- Maintenance of environmental stability through preservation of the ecological balance and, where necessary, restoration where the balance has been disturbed by a serious depletion of forests
- Conservation of the natural heritage of the country by preserving the remaining natural forests, which contain a remarkable biological diversity of flora and fauna and many of the genetic resources of the country
- Controlling of soil erosion and denudation in catchment areas of rivers, lakes, and reservoirs for soil and water conservation, mitigating of floods and droughts, and reduction of siltation of reservoirs

- Halting the extension of sand dunes in the desert areas of Rajasthan and along coastal tracts
- Substantially increasing the forest/tree cover in the country through massive afforestation and social forestry programmes, especially on denuded, degraded, and unproductive lands
- Meeting the requirements for fuelwood, fodder, and non-timber forest products of the rural and tribal population
- Increasing the productivity of forests to meet essential national needs
- Encouraging efficient utilisation of forest produce and maximising substitution of wood
- Creating a massive people's movement with the involvement of women to achieve these objectives and to minimise human pressures on existing forests

2.2.2 Forest Policy in J&K

Process of Policy Making

The forest policy of J&K State of 1990 has evolved over the last 40 years through historical processes since Indian independence. It is the outcome of experience gained by foresters as a result of their failures and successes.

The policy was formulated by the State Government after detailed interaction with the Principal Chief Conservator of Forests, the Director of the Social Forestry Project, the Director of Environment and Remote Sensing, the Chairman of the Pollution Control Board, the Chief Wildlife Warden, the Chief Conservators of Forests of Jammu and Kashmir, and other stakeholders.

There was no direct involvement of non-government organisations (NGOs), social organisations, or universities in the formulation of the policy. Over the last 50 years, however, various organisations, the local press, and electronic media have indirectly influenced the State Government and senior foresters through discussions held at workshops and seminars, radio talks, and articles in the press. The most significant impact came from the *padayatra* (trek)

of Sunder Lal Bahuguna (the Chipko leader), who started his Kashmir to Kohima (2500 km) padyatra from Srinagar in 1981. The State Government constituted a Forest Advisory Committee in 1988 under the chairmanship of Mr. Bahuguna. The committee submitted its report to the State Government, explaining the problems of forest degradation in J&K State and proposing remedial measures. Discussions between Bahuguna and the Chief Minister, Dr. Farooq Abdullah, apparently influenced the state forest policy of 1990. Apart from the formulation of forest policy of 1990, other initiatives taken during the same years bear the testimony of the influence of Sunder Lal Bahuguna.

The roles of *Paryavaran Sanstha*, under the leadership of Maj. Gen. G.S. Jamwal, Shri Ashok Sharma, President, Enviro-Legal-Action, and Maj. Gen. J. S. Jamwal, President of the Association for Welfare and Rural Education (AWARE) (both NGOs), have been vital in creating environmental awareness among the people and senior government forest officers.

J&K Forest Policy of 1990

In 1990, the State Government took the following policy decisions to conserve the remaining forests.

- Forests must be managed to ensure environmental stability and for the maintenance of ecological balance, and emphasis on direct economic benefits must be secondary to this principal.
- The Forest Department and the Social Forestry Project should strengthen their communication and extension wings. They will ensure people's participation in extension programmes and involve non-government organisations (NGOs) actively in their programmes.
- Improved and modern management practices should be adopted to deal with forest fires.
- More stringent restrictions on transportation of timber out of the state should be ensured.

- Proper compensatory measures to take care of the forest areas lost to accommodate other developmental projects must be ensured.
- A Forest Research Institute will be set up to deal with practical problems related to the protection, conservation, and development of forests; social forestry; the utilisation of forest products; and wildlife management.
- A grazing policy will be formulated for the state in order to regulate grazing in forest areas.
- The volume of timber extracted from the state forests will be reduced to a sustainable level to meet genuine local needs.
- Existing forest wealth will be protected with the help of an elite Forest Protection Force.
- Greater effort will be placed on the rehabilitation of degraded forests.
- The forest area should be expanded by converting available wasteland to forest.
- Sustainable provision of fuelwood and fodder to the local people should be ensured.

The present forest policy covers the entire forest areas owned and managed by the State of J&K.

People living close to forests enjoy certain concessions under the Kashmir Forest Notice of 1912 (Annex 1) and Jammu Forest Notice of 1912 (Annex 2). In lieu of the concessions, they are required to provide assistance to the Forest and Police Departments in forest protection.

There is no provision for handing over any forest area to a forest community or any group for protection, management, and utilisation of forest produce. But it is believed strongly that active participation of local people is essential for the protection of plantations.

In 1992, the government issued a notification SRO No. 61, the Jammu and Kashmir order on Joint Forest Management (JFM) (Annex 3), laying down procedures for sharing benefits between people and the Forest Department.